

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

THE GENERAL CONVENTION OF THE
NEW JERUSALEM IN THE UNITED
STATES OF AMERICA, INC., THE
MASSACHUSETTS ASSOCIATION OF
THE NEW JERUSALEM
(SWEDENBORGIAN), and GEORGE
CHAPIN,

Plaintiffs,

v.

C.A. No. 04-10419-WGY

EDWARD MACKENZIE, THOMAS
KENNEDY, BOSTON SOCIETY OF THE
NEW JERUSALEM, INCORPORATED
(SWEDENBORGIAN), and BOSTONVIEW
CORPORATION

Defendants.

**DEFENDANTS BOSTON SOCIETY OF THE NEW JERUSALEM, INC.
AND BOSTONVIEW CORPORATION'S RENEWED MOTION TO DISMISS**

Defendants Boston Society of the New Jerusalem, Incorporated (“the Church”) and Bostonview Corporation (“Bostonview”), by their attorneys and pursuant to Fed. R. Civ. P. 12(b)(1) and 12(b)(6), hereby file a Renewed Motion to Dismiss seeking to dismiss all claims asserted against them by the Plaintiffs for lack of subject matter jurisdiction and for failure to state a claim upon which relief can be granted. This Renewed Motion is made upon pleadings, memoranda of law, and arguments previously had herein, and upon the Civil Investigative Demands, Complaint, and Consent Judgment filed in Suffolk Superior Court Civil Actions No. 03-5408A and 04-2597.

WHEREFORE, Defendants Boston Society of the New Jerusalem, Incorporated and Bostonview Corporation respectfully renew this motion that the Court dismiss Counts IV and V of the Complaint, which are the only counts seeking relief against these defendants.

BOSTON SOCIETY OF THE NEW
JERUSALEM, INC. and BOSTONVIEW
CORORATION,
Defendants

By their attorneys,

/s/ Brian H. Lamkin
Richard J. McCarthy (BBO# 328600)
Brian H. Lamkin (BBO# 635688)
EDWARDS & ANGELL LLP
101 Federal Street
Boston, MA 02110
(617) 439-4444

LOCAL RULE 7.1 CERTIFICATION

I hereby certify that on June 14, 2004, Nicholas J. Rosenberg, counsel for the Church and Bostonview, advised counsel for the Plaintiffs that the Church and Bostonview intended to file a Renewed Motion to Dismiss.

/s/ Brian H. Lamkin
Brian H. Lamkin (BBO# 635688)